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The Silence Since *Humanae Vitae*

Richard F. McCormick, S. J.

Five years ago this month, Pope Paul VI issued his encyclical *Humanae Vitae*. It was the official papal response to a problem that had been hotly debated in the Catholic community for nearly ten years.

The discussion had its origins, of course, much further back than 1968. It must be dated at least from the year 1930, for prior to that time the rejection of artificial contraception on moral grounds was in a state of pacific possession in the Christian community. On Aug. 15, 1930, the Declaration of the Lambeth Conference of Anglican bishops officially endorsed the use of contraception. On December 31 of that same year, Pius XI published his encyclical *Casti Connubii*, an obvious and forceful counterstatement to the Lambeth declaration. Here contraception was condemned as "against nature" and an act "shameful and intrinsically immoral." From that time on, theological developments began to occur, quietly and imperceptibly at first, but openly and clamorously in the 1960's. The history of these developments, thought currents that made *Humanae Vitae* so controversial, need not be detailed here. It can be read in John Noonan's *Contraception*, William Shannon's *The Lively Debate* and Ambrogio Valsecchi's *Controversy*.

What is of importance now, five years after the appearance of Pope

Paul's authoritative intervention, is the response it received. The German bishops, meeting at Regensburg, Aug. 29 and 30, 1968, noted that "no encyclical of the last decades has aroused so much opposition as this one." That is certainly true, and it was bound to be the case regardless of what position the Pope supported, given the enormous personal investments and ecclesial implications of the question. With



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the perspective granted by time, I believe it can be said that *Humanae Vitae* produced shock and/or solace, suspension, silence—pretty much in that order. It is silence that best represents the situation in 1973. The matter of contraception provokes a yawn of public boredom, the more especially since we are daily confronted with what seem to most people to be far more urgent issues: the war, morality in government, overpopulation, environmental pollution, abortion, the problems of crime, drugs, aging, race, poverty and so on.

But the enormity of these issues does not adequately explain the almost silent unconcern of large segments of the Catholic community about the central issue of *Humanae Vitae*. A glance at the response of Catholics at several levels (episcopal, priestly, marital, theological) may provide some clue about this unconcern.

Pastoral Statements

First of all, the bishops. Nearly every national hierarchy responded to the encyclical with its own pastoral statement, probably because they were asked to do so by the papal secretary of state, Cardinal Ciognani. These episcopal documents rightly applaud the Holy Father for the integral and inspiring vision of man and marriage that pervades the encyclical. Furthermore, they support both the authority of the Pope and the specific teaching of *Humanae Vitae*. Where the means of birth control are treated, however, a careful reader will detect in some of the hierarchical

statements tonal divergences, a kind of pastoral contextualizing of the papal teaching, that is not without a neutralizing influence. William Shannon's summary is, I believe, accurate: "The statements, in fact, range from a total endorsement of the encyclical that left little or no room for dissent to a positive justification of those who feel it their right and duty to depart from the teaching of the encyclical; in between there is an emphasis on the guiltlessness, the lessened responsibility, or at least on the good will, of those who dissent."

For instance, the Canadian bishops referred to those who "find that, because of particular circumstances, they are involved in what seems to them a clear conflict of duties, e.g., the reconciling of conjugal love and responsible parenthood with the education of children already born, or with the health of the mother. In accord with the accepted principles of moral theology, if these persons have tried sincerely, but without success, to pursue a line of conduct in keeping with the given directives, they may be safely assured that whoever honestly chooses that course which seems right to him does so in good conscience."

The French bishops were even more outspoken on the question of a conflict of duties. They first note that contraception is always a disorder, never a good. But couples are, they assert, not always culpable. They continue: "On this subject, we shall simply recall the constant teaching of morality: when one has an alternative choice of duties and, whatever may be the decision, evil

cannot be avoided, traditional wisdom makes provision for seeking before God which duty, in the circumstances, is the greater. Husband and wife will decide at the end of a common reflection carried on with all the care that the greatness of their conjugal vocation requires."

Where dissent from the encyclical is concerned, the statement of the Scandinavian bishops is typical of several others. They wrote: "Should someone, however, for grave and carefully considered reasons, not feel able to subscribe to the arguments of the encyclical, he is entitled, as has been constantly acknowledged, to entertain other views than those put forward in a noninfallible declaration of the Church. No one should, therefore, on account of such diverging opinions alone, be regarded as an inferior Catholic. Whoever, after conscientious reflection, believes he is justified in not accepting the teaching and not applying it in practice, must be answerable to God for his attitude and his acts."

While none of the episcopal pastorals is anywhere near flat contradiction to the encyclical (the sole possible exception is a statement of the Dutch National Pastoral Council, reputedly authored by Dutch bishops, which declared the argumentation against contraception used in *Humanae Vitae* "not convincing"), the type of complementarity some of the documents provide is notably softer and less insistent than we have been accustomed to where major moral positions are being authoritatively elaborated and communicated.

Response of the Clergy

The response of American priests is detailed in the Andrew Greeley-coordinated study, *American Priests*. Here we learn that 81 percent of American priests view the encyclical as a competent and appropriate use of papal teaching authority, 18 percent saw it as inappropriate though within papal prerogatives, 43 percent rejected its teaching. Before the issuance of the encyclical, 51 percent believed that the faithful are bound to follow the traditional teaching. In 1970 only 40 percent retained this conviction. Prior to *Humanae Vitae*, 38 percent of priests did not regard contraception as a moral problem in their professional procedures (confession, counseling). The percentage has risen to 54 percent after the encyclical. Perhaps the most significant finding concerns priests under 35. Of these, 79 percent approve of contraception in their professional functions. That means that four-fifths of the clergy under 35 view the matter as a moral nonissue.

When we turn to the actual practice of married Catholics, a similar trend emerges. Charles F. Westhoff and Larry Bumpass, in "The Revolution in Birth Control Practices of U. S. Roman Catholics", (*Science*, Jan. 5, 1973), point out that the proportion of Catholic women between the ages of 18 and 39 who use methods of contraception other than rhythm increased from 30 percent in 1955 to 68 percent in 1970. The greatest changes occurred between 1965-1970, the percentage of women deviating from official teaching

rising from 51 percent to 68 percent. In the lower age groups (ages 20-24), the percentage of nonconforming women in 1970 was 78 percent. The authors note that their most significant finding is that the defection has been most pronounced among women who receive Communion at least once a month. Noting that in 1970 two-thirds of all Catholic women used methods disapproved by the Church, that the figure becomes three-fourths for women under 30, Westhoff-Bumpass conclude that "it seems abundantly clear that U.S. Catholics have rejected the 1968 papal encyclical's statement on birth control and that there exists a wide gulf between the behavior of most Catholic women on the one hand, and the position of the more conservative clergy and the official stand of the Church itself on the other."

Theological reflection and writing on the encyclical during the past five years has revealed a very large body of dissent within the Church.

Shortly after the publication of *Humanae Vitae*, Bernard Haring expressed little hope for a revised statement "unless the reaction of the whole Church immediately makes him (the Pope) realize that he has chosen the wrong advisors and that the arguments which these men have recommended as highly suitable for modern thought are simply unacceptable."

Theological Dissent

In the interim, scores of Catholic theologians have presented positions that must be viewed as dissent-

ing positions. The list would include such respected names as Karl Rahner, Alphonse Auer, Edward Schillebeeckx, Joseph Fuchs, Bruno Schuller, Philip Delhaye, Victor Heylen, Louis Janssens, Walter Burghardt, Peter Knauer and Charles Curran, to name but a few. The encyclical declares a contraceptive act to be "intrinsically evil" (§ 14) and always illicit" (§ 16). There are very few theologians to be found who would accept the notion of intrinsic evil used by Pope Paul. For instance, Canon Delhaye argues that the term "intrinsic evil" used in the encyclical is really only a pastoral affirmation whose basic meaning is: avoid contraception as much as possible and use it only to preserve higher values. It is difficult to imagine Pope Paul rejoicing in the face of such qualifications, but it must be said that this is the direction of much contemporary moral theology.

What is to be made of this response on the part of large segments of the Catholic community? One's answer to this question inevitably reveals his own attitudes and perspectives, not only on the matter of contraception, but above all on the nature and function of the magisterium.

There are many who view these "interpretations" and "qualifications" as sneaky, left-handed ways of undermining the clear teaching of the sovereign pontiff. Theologians and others who take such positions, especially publicly, are, it is asserted, arrogating hierarchical teaching authority to themselves and establishing themselves as a competitive magisterium. In other

words, both the dissent and its manner are seen as disobedience and disloyalty.

Others view the dissent as the outcome of responsible personal reflection and thus as the most radical form of religious loyalty. For example, when he signed the dissenting Washington statement, Bernard Haring appealed to loyalty to the Church and especially to the Pope. He stated: "If only our own personal convictions would be at stake, reverence and love toward the Holy Father would be a sufficient motive for me to be silent forever." Since I identify with those who insist that loyalty to the Holy Father and to the Church must be defined in terms larger than acceptance of a single authoritative but noninfallible teaching, what follows will certainly be unacceptable to those who do not share this perspective.

From the response to *Humanae Vitae* over the past five years one thing is clear: the Catholic community is polarized, both on the issue of contraception and, even more importantly, on the nature and function of the Church's magisterium and the appropriate Catholic response to authoritative teaching. For instance, on one hand we have theologians like the Italian Francesco Marchesi, S.J., asserting that in virtue of his primacy "the Pope can decide even by himself, according to his prudent and reflective judgment." On the other hand, Jesuit moralist John J. O'Callaghan of Chicago's Bellarmine School of Theology speaks for many when he writes in *Theology Digest*: "The idea of Pope Paul, alone on the re-

mote heights of teaching authority, agonizing over the (birth control) decision which only he must make, does not appeal to me."

Given this type of polarization, what is to be done? It seems clear that if large segments of the community have been unable to integrate every statement of the encyclical into their moral perspectives, then this dissent, to the extent that it is responsible, must be seen as a source of new evidence. Otherwise personal reflection has been led out of order in the teaching-learning process of the Church. If dissent is to be taken seriously within the community, it cannot be viewed as simply legally tolerable, a kind of paternal eye-shutting to the errors or immaturities of a child. It is neither both an end and a beginning, nor the end of a docile, respectful, open, personal attempt to appropriate authentic teaching. It is also and above all the beginning of new evidence, of a new reflection, no less docile, respectful and open. In this light the Church's magisterium is seen much more as an ongoing process within which the response of the community, while not decisive, can certainly be an important element in the discovery of truth.

A Call for Reformulation

It seems to me therefore that what is necessary at this point in history is a new communal reflection on the meaning of and reasons for the dissent the encyclical provoked. If such a reflection is to be open and adequate, it must bring the bishops together with the many competences that could be expected to throw

light on the matter: theologians, married couples, social scientists, physicians. The best way to undertake this reflection is probably through the formation of a blue-ribbon committee to report back to the bishops.

This is not a call for resolution by capitulation. That is not the point. The point is simply that both the experience and literature of the past five years provide grounds for believing that a reformulation of some of the neuralgic points of *Humanae Vitae* could be appropriate.

It is ultimately the bishops who must stimulate and support this reexamination and reformulation and bring it to the attention of the Holy Father. Not only are they officially commissioned teachers, but also, as pastors, they are in a position to be in touch with all elements of the community and to organize the experience and reflection of these various competences. Furthermore, they are in the best position to assess and grapple with the pastoral problems any reformulation would certainly occasion.

The bishops may choose, of course, to do nothing about the situation. But that is to settle for a pastoral problem of another kind, and one with very serious implications. Specifically, it is to play the ostrich on this question and, I fear, to seriously compromise the credibility of the teaching office of the Church in the long run. To the Catholic (and many others, I am sure) the teaching office of the Church is a precious privilege. It aids our escape from the isolation

and limitations of our own reflections. But if we are to continue to enjoy this privilege, we must begin to bear the responsibilities of what is, in the last analysis, a dialogical teaching-learning process in which we all have partial but indispensable contributions to make.

What direction a reformulation should take is no one's to dictate. If it were, a communal reexamination would be out of place. In a press interview following his presentation of *Humanae Vitae*, Msgr. (now Archbishop) Fernando Lambruschini was cited as noting that "the rule (against artificial birth control) is not unreformable. It is up to theologians to debate and expand all moral aspects involved. And if, for instance, some principle should become overwhelmingly accepted in the Church, contraception may even be launched." If *Humanae Vitae* is not beyond reformulation, is not the experience of five years sufficient to suggest a beginning of the process?

Pope Paul VI has shown himself to be a remarkably patient man, a pontiff with deep human compassion and understanding, and with a faith-supported tolerance for the pain involved in structural change, transition and disagreement. In a letter to the Congress of German Catholics, Aug. 30, 1968, he stated: "May the lively debate aroused by our encyclical lead to a better knowledge of God's will."

It is the debate aroused by the encyclical, as William Shannon carefully notes, not the encyclical itself, which is the basis for hope of a better knowledge of God's will. If

the debate is to lead to a better knowledge of God's will, then surely it is necessary to review the issues and arguments periodically to discover what is the current state of the question. My own reading of the experience and literature of the past five years suggests that now is the time to respond as a community to Pope Paul's gentle invitation to dialogue.

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WILL BE HELD

Nov. 30 — Dec. 1, 1974

PORTLAND, OREGON
(IN CONJUNCTION WITH THE
AMA CLINICAL MEETING)

DETAILS WILL FOLLOW